

all laws in conflict therewith; and providing for an effective date.

Which was read the first time by title only.

Senator Cooley moved that the rules be waived and Senate Bill No. 602 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 602 was read the second time by title only.

Senator Cooley moved that the rules be further waived and Senate Bill No. 602 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 602 was read the third time in full.

Upon the passage of Senate Bill No. 602 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—None.

So Senate Bill No. 602 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By the Committee on Finance and Taxation—

Senate Bill No. 603:

A bill to be entitled An Act relating to alcoholic beverages; supplementing the Beverage Act of the State of Florida; to amend Section 11 of Chapter 16774, Laws of Florida, Acts of 1935, to eliminate Sub-Section (i) therefrom; to amend Section 10 of Chapter 18015, Laws of Florida, Acts of 1937, to levy a tax on beverages containing more than 48% of alcohol by weight and to eliminate that portion of Sub-Section (b) relating to wines manufactured in other States that have lost their interstate character; to grant additional power and authority to all male employees of the State Beverage Department; to prohibit common, permit or privately owned carriers from delivering alcohol beverages in Florida except to certain persons, firms or corporations; to amend Section 1 of Chapter 19498, Laws of Florida, Acts of 1939, to allow distributors and manufacturers to sell to other distributors and manufacturers wine in any size container; to prevent the issuance of a license to certain places for two years; to require certain reports from retail liquor dealers; to require labels on taps or spigots through which malt beverages are served; to increase the number of employees of the State Beverage Department; to provide for elastic increase or decrease of employees according to revenue collected; to define certain words; to define the Beverage Act; to provide penalties for the violation of this Act; and to repeal all laws or parts of laws in conflict with this Act.

Which was read the first time by title only.

Senator Horne moved that the rules be waived and Senate Bill No. 603 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 603 was read the second time by title only.

Senator Butler moved that the rules be further waived and Senate Bill No. 603 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 603 was read the third time in full.

Upon the passage of Senate Bill No. 603 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—None.

So Senate Bill No. 603 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Cooley, McKenzie, Graham, Shepherd and Kanner—

Senate Bill No. 604:

A bill to be entitled An Act providing for a State Service

Officer, an Assistant State Service Officer and three field Secretaries in the State of Florida, and to prescribe their powers and duties and to fix their compensation. Their duties shall be in connection with the handling of claims of all veterans of all wars and their dependents, and soldiers, sailors and marines of the armed forces of the United States who served during peace time and received injuries directly due to their service.

Which was read the first time by title only and referred to the Committee on Appropriations.

By the Committee on Corporations—

Senate Bill No. 605:

A bill to be entitled An Act to amend Sections 1 and 3 of Chapter 10096, Laws of Florida, Acts of 1925, the same being An Act relating to corporations, so as to extend the provisions of said chapter to all corporations for profit.

Which was read the first time by title only and placed on the Calendar of Bills on second reading without reference.

By Senators Cooley, Beall, King and Shuler—

Senate Bill No. 606:

A bill to be entitled An Act to amend Section Twenty of Chapter 13644, Laws of Florida, Acts of 1929, entitled: "An Act relating to game, non-game birds, fresh-water fish and fur-bearing animals; to create the Department of Game and Fresh Water Fish and the office of State Game Commissioner; to define his duties and powers and that of his deputies; to fix his compensation and that of his deputies; to provide for the protection and conservation of game, non-game birds, fresh-water fish and fur-bearing animals by prescribing the times when and means by and extent to which they may be taken, possessed and dealt in; to license hunters, guides, trappers and fishermen; to require persons who engage in the business of operating hunting and fishing boats for hire or who deal in or with fresh-water fish or hides of fur-bearing animals, to procure a license for same; to prohibit the use, placing or discharge in the fresh waters of the State of substances or forces injurious to fish; to provide for the prosecution of persons violating the provisions of this Act and a penalty and rule of evidence in such prosecutions; to provide for the collection of funds to carry out the provisions of this Act and for the disposition of revenues accruing thereunder; consenting to acquisition by the United States of areas of land, water, or land and water, in accordance with the Act of Congress of February 18, 1929; and repealing certain existing laws and statutes; and defining certain terms used therein," as amended by Chapter 17015, Acts of 1935, and as further amended by Chapter 19509, Acts of 1939, in the following particulars: to provide that any holder of a valid hunting license shall be permitted to take fur-bearing animals with gun and dog.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Wilson—

Senate Bill No. 607:

A bill to be entitled An Act to Designate and Establish Certain State Roads in Gadsden County, Florida.

Which was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 607 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 607 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 607 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 607 was read the third time in full.

Upon the passage of Senate Bill No. 607 the roll was called and the vote was

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 607 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Graham—
Senate Bill No. 608:

A bill to be entitled An Act relating to the foreclosure of Drainage Tax Liens levied and assessed by drainage districts organized, created and existing under the general drainage laws of the State of Florida as brought forward and found in Section 1451 to 1522, both inclusive, of the Compiled General Laws of Florida of 1927 and the amendments thereto: providing that suits for the enforcement of liens on lands for delinquent drainage taxes shall be in chancery and such proceedings, judgment and decree rendered therein shall be in the nature of a suit in rem, and it shall not be material that the ownership of the land be correctly alleged in such suits and that all persons interested in any land which has been or which may hereafter be involved in a suit to enforce liens for delinquent drainage taxes shall be deemed to take notice of the levy, assessment and delinquency of such taxes and of the suits to enforce the same and of the final decree rendered therein and of the execution of the master's deed, and providing that certain persons under the conditions and within the time stated may petition the court to vacate the final decree, and further providing that, if no petition is filed within the time limit fixed, that then all persons interested in any land which has been or which may hereafter be involved in the foreclosure suit shall be deemed to have consented to the final decree, sale and master's deed and the title to the land shall be vested in the grantee in the master's deed, his heirs and assigns, in fee simple forever, and his title shall be paramount and superior to all other titles, liens and claims, and its validity shall never be questioned in any court at law or equity; and providing that this Act shall apply to all lands which has been or which may hereafter be involved in a drainage foreclosure suit whether such foreclosure suit was either brought, conducted or concluded before or after or partly before and partly after this Act becomes a law.

Which was read the first time by title only and referred to the Committee on Drainage.

By Senator Cliett—
Senate Bill No. 609:

A bill to be entitled An Act for the relief of W. L. Rawls for damages sustained by him while acting as road patrolman.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Whitaker—
Senate Bill No. 610:

A bill to be entitled An Act granting a pension to Mrs. Frances N. Clayton.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

MESSAGES FROM THE GOVERNOR

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee

May 15th, 1941

Honorable John R. Beacham,
President of the Senate.
Tallahassee,
Florida.

Sir:

I have the honor to inform you that I have today approved the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 33: Relating to Credit Unions.

Senate Bill No. 78: Relating to Insurance.

Senate Bill No. 90: Relating to Motor Vehicle License Fee.

o. Respectfully yours,

SPESSARD L. HOLLAND,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 15, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has indefinitely postponed:

By Senator Shuler—

Senate Bill No. 332:

A bill to be entitled An Act requiring the Board of County Commissioners and the County School Board of Liberty County, Florida, to have published in some newspaper published in said County the full proceedings or minutes of their meetings, providing for the price to be paid therefor.

Also has indefinitely postponed:

By Senator Perdue—

Senate Bill No. 477:

A bill to be entitled An Act fixing the compensation of the members of the Board of County Commissioners of Levy County, Florida, at nine hundred dollars (\$900.00) per year payable monthly out of the general revenue fund, and making this Act effective upon approval at a referendum election.

Very respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 14, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments:

By Senators McKenzie, Shepherd, Smith, Beall, Cooley and Price—

Senate Bill No. 254:

A bill to be entitled An Act appropriating money for the use and benefit of Florida National Exhibits, Inc., in Connection with the deficit in the establishment and maintenance of the Florida Exhibit at the New York World's Fair and for the establishment and maintenance of Florida exhibits at Atlantic City and other fairs, expositions and meetings of nation-wide importance and for the establishment of proper warehouse facilities to care for these exhibits when not in use.

Which amendments read as follows—

House Amendment No. 1:

Add the following to Section One: Provided, however, that hereafter such corporation shall annually make a report to the Comptroller of the State of Florida showing in detail the receipts and expenditures of such corporation and such corporation shall not hereafter incur any obligation in excess of its funds on hand and unexpended portion of funds actually appropriated.

House Amendment No. 2:

At the end of Section One (1) as amended add the following: Provided, however, that no moneys shall be expended under this Act which, when added to any moneys appropriated from any general or special fund collected or expended by the State or any of its agencies, or by any department thereof, for the use and benefit of the Florida National Exhibits, Inc., shall exceed an aggregate Two Hundred Thousand (\$200,000.00) Dollars.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

Senate Bill No. 254, contained in the above message, was read by title together with House amendments thereto.

Senator McKenzie moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 254.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 in Senate Bill No. 254.

Senator McKenzie moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 254.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 in Senate Bill No. 254.

And Senate Bill No. 254, as amended, was referred to the

May 16
Committee on
Finance and
Commerce
The bill was received

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments:

By Senators McKenzie, Shepherd, Smith, Beall, Cooley and Price—

Senate Bill No. 254:

A bill to be entitled An Act appropriating money for the use and benefit of Florida National Exhibits, Inc., in Connection with the deficit in the establishment and maintenance of the Florida Exhibit at the New York World's Fair and for the establishment and maintenance of Florida exhibits at Atlantic City and other fairs, expositions and meetings of nation-wide importance and for the establishment of proper warehouse facilities to care for these exhibits when not in use.

Which amendments read as follows—

House Amendment No. 1:

Add the following to Section One: Provided, however, that hereafter such corporation shall annually make a report to the Comptroller of the State of Florida showing in detail the receipts and expenditures of such corporation and such corporation shall not hereafter incur any obligation in excess of its funds on hand and unexpended portion of funds actually appropriated.

House Amendment No. 2:

At the end of Section One (1) as amended add the following: Provided, however, that no moneys shall be expended under this Act which, when added to any moneys appropriated from any general or special fund collected or expended by the State or any of its agencies, or by any department thereof, for the use and benefit of the Florida National Exhibits, Inc., shall exceed an aggregate Two Hundred Thousand (\$200,000.00) Dollars.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

Senate Bill No. 254, contained in the above message, was read by title together with House amendments thereto.

Senator McKenzie moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 254.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 in Senate Bill No. 254.

Senator McKenzie moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 254.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 in Senate Bill No. 254.

And Senate Bill No. 254, as amended, was referred to the

Committee on Finance and Commerce

The bill was received

May 16

Committee on Finance and Commerce

The bill was received

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May 16

Committee on Finance and Commerce

The bill was received

Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature—

By Senator Shands—
Senate Bill No. 112:

A bill to be entitled An Act for the relief of Perry G. Wall and providing appropriation to compensate him for moneys which he expended as chairman of the Florida Citizens Finance and Taxation Committee for the publication of reports by the committee and for clerical work in connection with the study of Florida's tax problem.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature.

By Senator Collins (By request)—
Senate Bill No. 348:

A bill to be entitled An Act for the relief of Fred O. Eberhardt, of Tallahassee, Leon County, Florida.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senate Bills No. 112 and 348, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By Senators Adams (25th), Johnson, Cooley, Shuler, Maddox, Clarke, Smith, Taylor and Perdue—

Senate Bill No. 235:

A bill to be entitled An Act amending Section 5491 of the Revised General Statutes of Florida of 1920, now Section 7649, Compiled General Laws of Florida of 1927, by providing that said Act shall not apply to theaters in which moving pictures are shown.

Which amendment reads as follows:

In Section 1, line 5, of the bill, strike out the words Section 1 and insert the following in lieu thereof: Section 7649.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senate Bill No. 235, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Adams (25th) moved that the Senate do concur in House Amendment to Senate Bill No. 235.

Which was agreed to.

And the Senate concurred in the House Amendment to Senate Bill No. 235.

And Senate Bill No. 235, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Collins—
Senate Bill No. 340:

A bill to be entitled An Act amending Sub-Section (13) of Section 1 of Chapter 16087, Laws of Florida, Acts of 1933 regulating the manufacture, sale, possession, control, cultivation etc. of narcotic drugs and hereby to amend the definition of "cannabis" or products of the plant sometimes known as Marihuana.

By Senator Collins—
Senate Bill No. 342:

A bill to be entitled a Uniform Act to secure the attendance of witnesses from within or without a State in criminal proceedings.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 340 and 342, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senators Smith and Kelly—

Senate Bill No. 158:

A bill to be entitled An Act amending Section 250, Revised General Statutes of Florida, 1920, being Section 306, Compiled General Laws of Florida, 1927, the same being the law fixing and prescribing the compensation of inspectors and clerks of any special or general election, by including therein a provision for the payment by the Board of County Commissioners of the compensation of Deputy Sheriffs serving at the polling places in any such election and validating all payments heretofore made to such Deputy Sheriffs by any board of County Commissioners.

By Senators Graham, Smith, Lindler, Gideons, Johnson, Adams (25th), and Ward—

Senate Bill No. 288:

A bill to be entitled An Act to declare the need of and provide authorization for a State-wide survey of the soils of Florida through the cooperation of appropriate State and County agencies with proper bureaus of the United States Department of Agriculture designating the Agricultural Experiment Station of the University of Florida as an agency of the State to supervise such surveys; providing for the matching of Federal funds by the State and County or other local agency; providing for the publication of soil survey, reports and maps; making an appropriation for carrying out the provisions of this Act and repealing any and all laws in conflict herewith.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 158 and 288, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Lewis—
Senate Bill No. 312:

A bill to be entitled An Act authorizing, empowering and directing the Governor of the State of Florida, with the consent of the Congress of the United States, to enter into a

May 16, 1941

compact on behalf of the State of Florida with any State of the United States legally joining therein for out-of-state supervision of probationers and parolees; providing, substantially, for the form of such compact, and providing that such compact shall include the terms and conditions under which a person placed on probation or released on parole by one state party to such compact may reside in another state party to such compact, the duties of visitation of and supervision over out-of-state probationers and parolees and their arrest under certain conditions, the manner in which such probationers and parolees shall be returned to the state granting probation or parole the power of the parties to said compact to make rules and regulations to carry out the terms of such compact, and an agreement that said compact shall have the force and effect of law and shall remain binding until renounced by any state party of such compact; conferring and defining certain duties, and powers of the parole commission under this Act, providing for its operation fixing effective date and repealing laws in conflict herewith

By Senator Collins—

Senate Bill No. 337:

A bill to be entitled An Act to make uniform the law on fresh pursuit and authorizing this State to cooperate with other states therein.

By Senator Collins—

Senate Bill No. 339:

A bill to be entitled An Act to make uniform the procedure of interstate extradition.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 312, 337, and 339, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 14, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments—

By the Committee on Judiciary "A"—

Senate Bill No. 444:

A bill to be entitled An Act amending Sections 1, 2, 5, 6, 8 and 12-A of Chapter 15861, Laws of Florida, Acts of 1933, entitled: "An Act to create the Florida Agricultural and Industrial Relief Commission as a State agency to aid agriculture, forestation and reforestation, subsistence homesteads, industry and commerce; to relieve unemployment; to aid and assist counties, municipalities, political subdivisions, boards and commissions in this State and private corporations, associations and persons, in securing from the Federal Government or the Reconstruction Finance Corporation or from or through other Federal agencies loans or grants of money appropriated by the Congress or that may be appropriated, available for such loan or grant and for objects or purposes designated or approved by Congress; and to promote the public welfare; to define and fix the powers of said commission; providing for the appointment of its members and fixing their term of office and designation of the Treasurer of the State of Florida as Treasurer ex officio of the commission; require the commission to make annual reports to the Governor and pay to the State Treasurer the net profits from operations; to appropriate for loan to the commission and provide for its repayment", by providing that the name of said commission shall hereafter be "Florida State Improvement Commission," and that said commission may borrow or otherwise obtain funds from public or private sources to accomplish the objects and purposes contemplated by said Act, which are the acquisition, construction, maintenance, operation and financing of any and all enterprises, plans, projects, public works and services devoted to public use, needful in the public interest and/or self-liquidating in character, including (but not restricted to) forestation, reforestation, forest products, subsistence homesteads, bridges, highways, ferries, waterworks, water supply, distribution systems, irrigation and drainage projects, canals, bulkheads, tunnels, docks, markets, housing projects and warehouses, public office buildings, canning and

packing plants, airports, airplane hangars and shops, munitions and arms factories, arsenals, public bomb-proof shelter, ship building yards, military and aviation training schools, and any public projects needful in the furtherance of the national defense program, and to charge and collect reasonable toll and/or other reasonable charges, and to make reasonable regulations for the use thereof by the public, subject to the Laws of Florida regulating the operation and rates of charges for such utilities and also providing the manner of obtaining such funds and expressly authorizing any county, municipality, drainage district, road or bridge district, school district and/or any other political subdivision, board or commission state agency or Department of the State of Florida to make and enter into with said commission, contracts, leases and purchase agreements within the provisions and purposes of this Act.

Which amendments read as follows—

House Amendment No. 1:

In Title lines 17 and 18, strike out the words: "and designation of the Treasurer of the State of Florida as Treasurer ex officio of the Commission."

House Amendment No. 2:

In Title, line 44, after the words "funds" insert the following: "And designating the Treasurer of the State of Florida as Treasurer of the Commission."

And respectfully requests the concurrence of the Senate therein

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

Senate Bill No. 444, contained in the above message, was read by title, together with House Amendments thereto.

Senator Beall moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 444.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 444.

Senator Beall moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 444.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 to Senate Bill No. 444.

And Senate Bill No. 444, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding:

By Senator Ward—

Senate Bill No. 1000—(1939 Session):

An Act for the relief of Alberto Camero.

Also has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present the Governor's objections to the contrary notwithstanding:

By Senator Graham—

Senate Bill No. 444—(1939 Session):

An Act "for the relief of the M. F. Comer Bridge and Foundation Company."

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bills Nos. 1000 (1939 Session) and 444 (1939 Session), contained in the above message, were ordered certified to the Secretary of State.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

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May 16, 1941

JOURNAL OF THE SENATE

517

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Shafer, Murray and Safford of Polk, and Horrell of Orange—

House Bill No. 841:

A bill to be entitled An Act exempting all persons inducted into military service of the United States from operation of laws requiring re-registration as a pre-requisite to the right to vote.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 841, contained in the above message, was read the first time by title only.

Senator McKenzie moved that the rules be waived and House Bill No. 841 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,

May 14, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully requests the return of:

By Messrs. Sheldon, McDonald and Toland of Hillsborough—
House Bill No. 816:

A bill to be entitled An Act to be known as the Permanent Registration Act for Hillsborough County, Florida, and providing for a reregistration of all voters for all elections and primaries to be held in the year 1942; and providing for the time of opening and closing the registration books; and providing that the registration for the year 1942 shall be a permanent registration for all subsequent elections; and providing for the registration of all voters for all elections subsequent to the year 1942 in the office of the Supervisor of registration only; and providing for the time of opening and closing of the registration books in the office of the Supervisor of Registration for all elections subsequent to the year 1942; and providing the form of registration blanks, providing for the type of binder for the permanent registration records; and providing for notice to voters by the Supervisor of Registration of their registration as shown on the registration books and requesting information pertinent thereto in the year 1944 and every two years thereafter and the return thereof by the voters and the penalty for failure to return said notice with the information requested; and providing for the furnishing of the registration blanks by the Secretary of State and the permanent registration binders by the County Commissioners; and providing that the Supervisor of Registration shall be custodian of voting machines; and providing for the compensation of the Supervisor of Registration; and providing for a Chief Deputy and an assistant custodian of voting machines; and providing for their compensation.

For the purpose of further consideration.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 816, contained in the above message, was read the first time by title only.

Senator Whitaker moved that House Bill No. 816 be indefinitely postponed.

Which was agreed to and House Bill No. 816 was indefinitely postponed, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 15, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Middleton of Putnam—

House Memorial No. 7:

A memorial to Congress to pass An Act for the relief of property owners who suffered damages from the campaign to eradicate the Mediterranean Fruit Fly.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Memorial No. 7, contained in the above message was read the first time in full.

Senator McKenzie moved that the rules be waived and House Memorial No. 7 be read the second time in full.

Which was agreed to by a two-thirds vote, and House Memorial No. 7 was read the second time in full.

The question was put on the adoption of House Memorial No. 7.

Which was agreed to and House Memorial No. 7 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 14, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Andrews of Madison—

Committee Substitute for House Bill No. 43:

A bill to be entitled An Act to amend Section 1 of Chapter 17274, Laws of Florida, Acts of 1935, now Section 242, Compiled General Laws of Florida, permanent supplement, entitled: "An Act to permit the retirement of State officials and State employees under certain conditions, with pay."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Committee Substitute for House Bill No. 43 contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 15, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Holt of Dade, Toland, Sheldon and McDonald of Hillsborough, Littlefield and Gillespie of Volusia—

House Bill No. 360:

A bill to be entitled An Act to designate the law libraries respectively: the University of Miami, Stetson University and the University of Tampa as State Depositories of Public Documents, to provide for furnishing them said documents and instruct them to make same available and accessible to the public.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 360, contained in the above message, was read the first time by title only and referred to the Committee on State Institutions.

May 16, 1941

The following Message from the House of Representatives was received and read:

Tallahassee, Fla.,
May 13, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By the Committee on Judiciary "A"—

House Bill No. 748:

A bill to be entitled An Act providing for and adopting a State administered probation and parole system for the State of Florida; creating and establishing a Parole Commission and conferring and defining its duties, powers and functions, including the power to make rules and regulations and the supervision of persons placed upon probation; providing for the method of appointment and removal of the members of the Parole Commission, its clerks and employees, regulating their compensation, and prohibiting their engaging in certain activities; providing for the purchase of supplies and materials and for the allowance of necessary traveling and other expenses; providing for the placing on parole of persons in certain cases, their discharge from parole, their rearrest with and without a warrant for violation of the terms and conditions of parole; providing for hearings on charges of violation of the terms and conditions of parole and reimprisonment because of such violation; providing for the recommendation by the Parole Commission to the Board of Pardons for the extension of clemency to deserving persons; authorizing financial aid to indigent parolees at the time of their release, providing for the cooperation of certain public officers and agencies with the Parole Commission; authorizing and regulating the use by the courts of probation and suspension of imposition of sentence; permitting appeal from judgment adjudging guilt; excepting certain courts and correctional institutions from the operation of this Act, and authorizing the preservation of probation officers now serving under any previous law; and making an appropriation for carrying into effect the provisions of this Act; fixing an effective date thereof and repealing all laws and parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 748, contained in the above message, was read the first time by title only and referred to the Committee on Prisons and Convicts.

The following Message from the House of Representatives was received and read:

Tallahassee, Fla.,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Bonifay of Santa Rosa—

House Bill No. 167:

A bill to be entitled An Act to amend Section 1, Chapter 17917, Laws of Florida, Acts of 1937, being An Act entitled: "An Act relating to the salt water fishing in the State of Florida in tidal waters and other territorial waters of the State of Florida and providing a license tax on all boats, vessels, schooners or launches operating and/or plying in the tidal and salt waters or other waters under the control of the State Board of Conservation of the State of Florida, and providing an additional tax on aliens or non-residents who own such boats, vessels, schooners or launches, and defining such aliens or non-residents, and providing penalties for violation of same by exempting certain boats and individuals from the application of said law.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 167, contained in the above message was read the first time by title only and referred to the Committee on Game and Fisheries.

The following Message from the House of Representatives was received and read:

Tallahassee, Fla.,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Lanier of Highlands, Sheldon, McDonald and Toland of Hillsborough, Safford of Polk, Lane and Boyd of Manatee, Perry of Sarasota, Holt, Wiseheart and Oysterstreet of Dade, Burwell and Leaird of Broward, Cray of Martin, Morrow and Beck of Palm Beach, Stewart of Hendry, Strayhorn of Lee, Peeples of Glades, Burks of Pasco, Shafer and Murray of Polk, Papy of Monroe, Hendry of Okeechobee, Bryan of Hardee, Horrell and Leedy of Orange, Wotitzky of Charlotte, Dunham of DeSoto, Inman of Bradford, Chavous of Dixie, Versaggi of St. Johns, Gillespie and Littlefield of Volusia, Hatch and Best of Suwannee, Harris and Clement of Pinellas, Leonardy and Brady of Seminole, Potter and Rogers of Marion, Bennett and Luckie of Duval, Thomas of Lake, Getzen of Sumter, Driggers of Union, Williams of Hernando, Butt of Brevard, Turner of St. Johns, Graves of Indian River, and Cook of Flagler—

House Bill No. 245:

A bill to be entitled An Act to establish at or near Avon Park, Florida, an institution for curable cases of mentally deranged persons, and for the construction of the necessary buildings, equipment, etc., of the same, and to provide for the management of such institution, and to accept grants from United States Government or any agency thereof or from any other source.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 245, contained in the above message, was read the first time by title only.

Senator Cliett moved that the rules be waived and House Bill No. 245 be placed on the Calendar of Bills on second reading without reference.

Upon which a roll call was demanded.

Upon call of the roll on the motion made by Senator Cliett the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Clarke, Cliett, Cooley, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lindler, Maines, Price, Rose, Shepherd, Taylor, Ward, Whitaker—25.

Nays—Senators Adams (25th), Collins, Drummond, Johnson, Lewis, Maddox, McKenzie, Perdue, Shuler, Smith, Wilson—11.

Which was agreed to.

And House Bill No. 245 was placed on the Calendar of Bills on second reading without reference.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Holt, Overstreet and Wiseheart of Dade—

House Bill No. 422:

A bill to be entitled An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of limes produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such limes; to levy and impose an excise tax on the sale and shipment of limes produced in Florida and to provide for the collection thereof; to create a lime advertising fund, to vest the administration of this Act in the Florida Citrus

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Commission and to provide for the powers, duties and authority of said Commission hereunder; and to provide penalties for violations of this Act.

By Messrs. Holt, Overstreet and Wiseheart of Dade—
House Bill No. 420:

A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt, or delivery for transportation, or market of any citrus aurantifolia, variety Persian, Tahiti or Bearss limes that are immature; to provide standards of maturity, to provide for the registration and certification of packing houses as defined herein, to provide for inspection of limes as to maturity by determining juice content by volume, to provide for certificates of maturity and issuance of same, to provide for the stamping or marking of juice content on containers, to provide for inspection and tax for same, to provide for the destruction of limes found to be immature, to provide penalties for the violation thereof, to provide for time limit for this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 422, contained in the above message, was read the first time by title only.

Senator Taylor moved that the rules be waived and House Bill No. 422 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 422 was read the second time by title only.

Senator Taylor offered the following amendment to House Bill No. 422:

In Section 12, line 3, strike out the words "nor shall this Act apply to the limes produced by the small grower and who produces not more than ten boxes of limes and disposes of same in less than full box lots for consumption by his local market," and insert the following: "nor shall this Act apply to the limes produced by any grower who produces not more than ten boxes of limes yearly and who himself disposes of all of same in less than full box lots for consumption in local markets."

Senator Taylor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Taylor moved that the rules be further waived and House Bill No. 422, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 422, as amended, was read the third time in full.

Upon the passage of House Bill No. 422, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—Senator Dye—1.

So House Bill No. 422 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

And House Bill No. 420, contained in the above message, was read the first time by title only.

Senator Taylor moved that the rules be waived and House Bill No. 420 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 420 was read the second time by title only.

Senator Taylor offered the following amendment to House Bill No. 420:

Immediately after Section 2 insert the following: Section 2-A. This Act shall not apply to the limes produced by any grower who produces not more than ten boxes of limes yearly and who himself disposes of all of same in less than full box lots for consumption in local markets.

Senator Taylor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Taylor also offered the following amendment to House Bill No. 420:

Strike out all of Section 15-A.

Senator Taylor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Taylor moved that the rules be further waived and House Bill No. 420, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 420, as amended, was read the third time in full.

Upon the passage of House Bill No. 420, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—None.

So House Bill No. 420 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By unanimous consent Senator Graham withdrew Senate Bills Nos. 226 and 228.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Morrow of Palm Beach—

House Bill No. 262:

A bill to be entitled An Act defining roadside menageries for the supervision and control thereof, for the issuing of licenses therefor, and for the punishment for the failure to secure such licenses.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 262, contained in the above message, was read the first time by title only and referred to the Committee on Game and Fisheries.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Bennett and Luckie of Duval, and Perry of Sarasota—

House Bill No. 540:

A bill to be entitled An Act to provide that when a motor vehicle collides with any animal at large on a public highway of this State, and the operator of the motor vehicle dies as a result of the collision, the owner or such animal shall have no cause of action against the personal representative of the estate of such deceased operator, on account of any injuries to, or the death of, such animal, and to repeal all laws and parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 540, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

The following Message from the House of Representatives was received and read:

Tallahassee, Fla.,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature:

By Mr. Brackin of Okaloosa—
House Bill No. 255:

A bill to be entitled An Act for the relief of Gordon Craig in the matter of damage done to certain lands owned by him by the building of highways and requiring the State Road Department to pay to the said Gordon Craig the sum of One Hundred and Seventy-five (\$175.00) Dollars.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature:

By Mr. Bonifay of Santa Rosa—
House Bill No. 208:

A bill to be entitled An Act for the relief of Howard W. Harrison.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature:

By Mr. Stewart of Hendry—
House Bill No. 402:

A bill to be entitled An Act for the relief of G. L. Cantrell and his wife, Mrs G. L. Cantrell, and providing appropriation to compensate them for damage to property and injury to health by reason of the explosion of a certain section of public highway in DeSoto County, Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bills Nos. 255, 208 and 402, contained in the above message, were read and the first time by titles only and referred to the Committee on Pensions and Claims.

The following Message from the House of Representatives was received and read:

Tallahassee, Fla.,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Smith of Clay—
House Bill No. 254—(1939 Session):

A bill to be entitled An Act for the relief of Mary V. Cherry, widow, Clay County, Florida, and making an appropriation therefor as compensation for the loss of her husband, T. S. Cherry, who, as sheriff of Clay County, Florida, was killed while performing services in the line of duty.

Also has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding:

By Mr. Harrell of Indian River—
House Bill No. 531—(1939 Session):

A bill to be entitled An Act for the relief of Otis M. Cobb, former County Judge of Indian River County, Florida.

Also has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding:

By Mr. Lewis of Levy—
House Bill No. 1088—(1939 Session):

A bill to be entitled An Act for the relief of J. Min Ayers for his necessary and actual financial losses sustained by him without any fault on his part and by virtue of being held up and robbed of his personal property by two escaped convicts.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bills Nos. 254 (1939 Session), 531 (1939 Session) and 1088 (1939 Session), contained in the above message, were read by titles only and referred to the Committee on Executive Communications.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding:

By Messrs. Christie, Harrell and Warren of Duval—
House Bill No. 876—(1939 Session):

An Act for the relief of J. E. Madigan.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bill No. 876 (1939 Session), contained in the above message, was read by title only and referred to the Committee on Executive Communications.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to:

By Messrs. Luckie, Acosta and Bennett of Duval—
House Bill No. 1009:

A bill to be entitled An Act providing a Supplemental, Additional and Alternative Method of Paving Street in the City of Jacksonville; authorizing and providing for Special Assessments for the cost thereof; authorizing the issuance of Paving Certificates for the Amounts Assessed against Abutting Property; and providing for the Manner and Method of Collection of such Liens and the Assessment of Costs and Fees therefor and enforcing the Collection thereof.

Which amendment reads as follows:

Add to Section 1, the following: The term "user of the street," as used in this Act, is hereby construed to mean any railroad company, telephone company, telegraph company, or any other person, firm or corporation who shall use any street or street space for the purpose of carrying on the business of a public utility.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 16, 1941.

Hon. John R. Beacham,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully requests the return of:

By Mr. Acosta of Duval—
House Bill No. 987:

A bill to be entitled An Act to amend Sections 5 and 6 of Chapter 18610, Special Laws of Florida, Acts of 1937, as amended by Sections 4 and 5, of Chapter 19902, Special

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Laws of Florida, Acts of 1939, entitled "An Act providing for pensions for employees of the City of Jacksonville."

For the purpose of further consideration.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senator Butler moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 987 was ordered returned to the House of Representatives.

Senator Graham moved that House Joint Resolution No. 858 be recalled from the Committee on Constitutional Amendments.

Which was agreed to and it was so ordered.

Senator Graham moved that the rules be waived and the Senate take up and consider House Joint Resolution No. 858 out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Joint Resolution No. 858:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida, relating to County and Municipal Governments.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article VIII of the Constitution of the State of Florida relating to County and Municipal Governments, to be numbered Section 11 of said Article VIII, be and the same is hereby agreed to and shall be submitted to the electors of the State for ratification or rejection at the next general election, to be held in November 1942, to-wit:

Section 11. The County Commissioners of Dade County who shall be elected at the general election in 1942 shall, immediately after the beginning of their terms of office, re-district Dade County into five County commissioners' districts to be numbered by the said Commissioners from one to five respectively, and delineate the boundaries of such districts in such manner as to include within the respective districts territory as follows:

One of the said Commissioners' districts shall comprise the territory which was on the 1st day of April, 1941, embraced within Election Precincts numbered 24 to 32, inclusive, and also such parts of election precincts numbered 10, 56, 60 and 61 as lie east of the western shore of Biscayne Bay, all as established by a resolution of the County Commissioners of said County adopted November 14, 1939, designated as Resolution No. 1077;

Another of the said districts shall comprise the territory, and only the territory which was on the first day of April, 1941, embraced in Commissioners' Districts No. 4 and Commissioners' District No. 5, as described in Book "F" of the Minutes of the County Commissioners of said County, at page 194 et seq;

Another of the said Commissioners' Districts shall comprise the territory which was on the first day of April, 1941, embraced in Commissioners' District No. 1, as described in Book "F" of the Minutes of the County Commissioners of said County, at Page 194 et seq. and also all the territory which was on the first day of April, 1941, embraced in Election Precincts numbered 75 to 82, inclusive, as established by the aforesaid Resolution No. 1077;

Another of the said districts shall comprise the territory which was on the 1st day of April, 1941, embraced in Commissioners' District No. 3, as described in Book "F" of the Minutes of the County Commissioners of said County, at page 194 et seq., except the territory embraced in the aforesaid election Precincts numbered 75 to 82, inclusive, and 26 to 32, inclusive, and except such parts of election precincts numbered 56, 60 and 61 as lie east of the western shore of Biscayne Bay.

Another of the said Commissioners' Districts shall comprise the territory which was on the 1st day of April, 1941, embraced in Commissioners' District No. 2 as described in Book "F" of the Minutes of the County Commissioners of said County, at page 194 et seq., except the territory embraced in the aforesaid Election Precincts numbered 24 and 25, and such part of election precinct number 10 as lies east of the western shore of Biscayne Bay.

The County Commissioners who shall be elected in Dade County at the general election in 1942 shall hold office for

the terms of two years for which they shall have been elected and their terms of office shall not be affected by this amendment; but thereafter there shall be in each of the districts established by, and in pursuance of, this amendment a County Commissioner who shall reside in his district but who shall be nominated and elected from the County at large. Every County Commissioner of Dade County who shall be elected at the general election in 1944 and thereafter shall hold office for a term of four years. The powers, duties and compensation of such County Commissioners shall be as from time to time provided by law.

Was taken up and read the second time in full.

Senator Graham moved that the rules be further waived and House Joint Resolution No. 858 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote

And House Joint Resolution No. 858 was read the third time in full.

Upon the passage of House Joint Resolution No. 858 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So House Joint Resolution No. 858 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1941 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Graham withdrew Senate Joint Resolution No. 449.

Senator Whitaker moved that the rules be waived and the Senate take up and consider House Memorial No. 4, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Memorial No. 4:

To the Honorable Franklin D. Roosevelt, President of the United States, and the Honorable Senate and House of Representatives of the United States, in Congress assembled.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And House Memorial No. 4 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Whitaker moved that the rules be waived and the Senate take up and consider House Memorial No. 5, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Memorial No. 5:

A Resolution to Memorialize Congress to continue the Women's Program of the Works Progress Administration in the State of Florida.

WHEREAS, many projects formerly operated by the Works Progress Administration are being abandoned in favor of National Defense Projects, and

WHEREAS, in this bracket comes the Workmen's Program, namely, the Lunch Room and Sewing Room projects, and

WHEREAS, there are no defense projects where women can be employed, namely, factories and mills, no employment of any kind available for the age and type of women employed by these projects, and,

WHEREAS, the demands on State, County and City for new taxes for National Defense purposes will leave their treasuries unable to care for the women and their families, and,

WHEREAS, the deep appreciation of these projects felt by the communities who in humanities sake urge their continuation.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And House Memorial No. 4 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Rose moved that the rules be waived and the Senate take up and consider Senate Concurrent Resolution No. 10, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 10:

A Concurrent Resolution to be entitled a Resolution relating to the preservation of moral conditions in the vicinity of army and naval camps and plants erected and maintained by the Federal Government in providing for the National Defense.

BE IT RESOLVED by the Senate of the State of Florida, the House of Representatives concurring:

Section 1. That the Senate of the State of Florida, the House of Representatives concurring, respectively petition the Congress of the United States of America to give early consideration to legislation suppressing and prohibiting all forms of vice including the sale of intoxicating beverages, on, in, and in the vicinity of, all plants owned, leased or maintained by the United States of America for national defense, including all reservations, camps, bases, training schools barracks and other areas used for the quartering, training or encampment of the armed forces of the Army and Navy of the United States.

Section 2. Be it further Resolved that the Secretary of State forthwith prepare suitable copies of this Resolution, and cause the same to be transmitted to the Vice-President of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the several Committees on Army and Naval affairs of the Senate and House of Representatives of the United States, and to each of the members of the Senate and House of Representatives of the United States, from the State of Florida.

Was taken up and read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 10 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins moved that the rules be waived and the Senate take up and consider Senate Bill No. 246, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 246:

A bill to be entitled An Act to provide for the enlargement, alteration, repair, equipment and furnishing of the South Wing of the Capitol, and making an appropriation for such purposes.

Was taken up.

Senator Collins moved that the rules be waived and Senate Bill No. 246 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 246 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 246 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 246 was read the third time in full.

Upon the passage of Senate Bill No. 246 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Folks, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—Senator Drummond—1.

So Senate Bill No. 246 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By permission the following bills were introduced:

By Senators Cooley, McKenzie, Graham and Shepherd—Senate Bill No. 611:

A bill to be entitled An Act to preserve the right of suffrage to any soldier, sailor, marine, or other person enlisted or commissioned in the armed forces of the United States of America, who is a bona fide elector in any precinct (ward) in any county (city) in the State of Florida; prescribing the method for the registration of said soldier,

sailor, marine, or other person, duly enlisted or commissioned in the armed forces of the United States of America, wherever the said person may be at the time for registration; prescribing the method of voting for said person who may be a qualified elector and who at the time of the election is absent from his home precinct (ward) by reason of the fact that he is a soldier, sailor, marine, or otherwise enlisted or commissioned in the armed forces of the United States of America; prescribing the duties of the election officials with reference to the purposes and provisions of this Act; prescribing an effective date hereof and providing for the repeal of any laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senators Shuler and Collins—

Senate Bill No. 612:

A bill to be entitled An Act to provide an assistant official court reporter for the Second Judicial Circuit of Florida; providing for the appointment of such assistant official court reporter, and providing for the compensation of such assistant official court reporter; and providing that the method of appointment, qualification, duties, and tenure of office of said reporter shall be the same as now prescribed by law for other official court reporters for the Circuit Courts of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Horne—

Senate Bill No. 613:

A bill to be entitled An Act to amend Section 3 of Chapter 19446, Laws of Florida, Acts of 1939, entitled: "An Act relating to taxation, levying and imposing and excise tax on the use of 'fuel' or 'motor vehicle fuel' which shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways of the State of Florida, excepting such fuels as are subject to the tax imposed by Chapter 15659, Laws of Florida Acts of 1931, or any other gasoline taxing Acts of the State of Florida; levying and imposing a license tax on the use of 'fuel' or 'motor vehicle fuel'; providing for the report of the use of such commodities, and the collection and payment of such taxes; creating special funds for the reception of such taxes; providing the purposes of such taxes, and the deposit, appropriation and disposition of the proceeds derived from such taxes; providing for the enforcement of this Act and penalties for violation hereof," by providing the amount use and disposition of first, second and third motor vehicle fuel taxes.

Which was read the first time by title only.

Senator Horne moved that the rules be waived and Senate Bill No. 613 be read the same time by title only.

Which agreed to by a two-thirds vote.

And Senate Bill No. 613 was read the second time by title only.

Senator Horne moved that the rules be further waived and Senate Bill No. 613 be read the third time in full and put upon its passage.

Which agreed to by a two-thirds vote.

And Senate Bill No. 613 was read the third time in full.

Upon the passage of Senate Bill No. 613 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dyk, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So Senate Bill No. 613 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

VETO MESSAGES

Senator Housholder moved that the rules be waived and the Senate take up and consider Senate Bills Nos. 1221 (1939 Session), 1061 (1939 Session), 1152 (1939 Session), 1221 (1939 Session) and 1093 (1939 Session) out of the order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 1219—(1939 Session):

"A bill to be entitled An Act relating to the board of administration established by Chapter 14,486, Laws of Florida, Acts of 1929, being entitled: 'An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the state or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a board of administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges.' As amended by Chapter 15,891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the state board of administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to road districts, road and bridge district, special road and bridge district, and county road bonds and bond issues subject to said Chapter 14,486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended, of bonds as re-defined herein, issued, delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said state board of administration in connection therewith; but in no manner affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the Laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida:

June 9th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor under the provisions of Section 28, Article III of the Constitution of Florida, I transmit to you with my objections thereto, Senate Bill 1219 entitled:

"A bill to be entitled An Act relating to the Board of Administration established by Chapter 14,486, Laws of Florida, Acts of 1929, being entitled: 'An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a board of administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges' as amended by Chapter 15,891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the State Board of Administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to road districts, road and bridge district, special road and bridge district, and County road bonds and bond issues subject to said Chapter 14,486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended of bonds as redefined herein, issued, delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said State Board of Administration in connection therewith; but in no manner affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof."

I am withholding my approval of this bill for the following reasons:

1. The general effect of this Bill is to extend the benefits of the original Board of Administration Act (Chapter 14,486, Laws of Florida, Acts of 1929) to cover bonds and other forms of indebtedness issued for road and/or bridge purposes by any County or District that were issued and outstanding on or prior to July 1, 1931. Said original Act limited said benefits to bonds and other forms of indebtedness issued and outstanding on April 1, 1929.

The only other provision in this Bill not included in the original Act of 1929 is that the participating bonds shall be

those herein above mentioned "or bonds issued to refund the same."

This phrase is repeated several times in this Bill. If the word "or" in the above quoted phrase is intended to be equivalent to the word "and," there is no need for this phrase in the Act because such is already the law. However, this word "or" may be construed to exclude the original bonds which have not been actually exchanged or paid off, and then the Bill would become an instrument of coercion. It would leave the County to be subjected to an ad valorem tax to pay the non-exchanged or unpaid original bonds, and thus deprive the taxpayers of the benefits and protection which the Board of Administration Act of 1929 was intended to afford them.

In justice to the taxpayers I cannot approve this Bill in the fact of the above doubt in its construction.

2. It has been said that this Bill was intended for the relief of a very few counties which would benefit thereby, to the exclusion of all the remaining counties. If this be true then it would furnish an additional reason for withholding my approval, because the Bill would really be a Special Act in the form of a General Law discriminating against the vast majority of Counties in the State.

In view of its doubtful construction and the uncertainty of its application, I veto this Senate Bill No. 1219.

Respectfully yours,

FRED P. CONE,
Governor of Florida.

The President put the question: Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 1219 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 1061 (1939 Session):

"A bill to be entitled An Act affecting the government of the City of Fernandina, Nassau County, Florida, from the provisions of Section 5 of Chapter 18,011, General Laws of Florida, 1937, as amended by the Act of the 1939 Legislature the same being House Bill 1906, which Act is entitled "An Act relating to license taxes, repealing Chapter 14,491, and Chapter 14,528, Laws of Florida, Acts of 1929; repealing parts of Chapter 2 of Title VI, of Division I of the Revised General Statutes of Florida of 1920; repealing Chapter 16,801 and Chapter 17,167, Laws of Florida, Acts of 1935; imposing certain license taxes and providing for the payment and collection thereof, and providing that license taxes shall be a lien on the property of the person liable therefor, under certain circumstances."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida:

June 10, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1061, entitled:

"A bill to be entitled An Act affecting the government of the City of Fernandina, Nassau County, Florida, from the provision of Section 5 of Chapter 18,011, General Laws of Florida, 1937, as amended by the Act of the 1939 Legislature the same being House Bill 1906, which Act is entitled, "An Act relating to license taxes, repealing Chapter 14,491, and Chapter 14,528, Laws of Florida, Acts of 1929; repealing parts of Chapter 2 of Title VI, of Division I of the revised General Statutes of Florida of 1920: Repealing Chapter 16,801 and Chapter 17,167, Laws of Florida, Acts of 1935; imposing cer-

tain license taxes and providing for the payment and collection thereof, and providing that license taxes shall be a lien on the property of the person liable therefor, under certain circumstances."

The municipality of Fernandina will not be affected by House Bill No. 1906, Section 5 thereof, as the said bill has been vetoed. Accordingly, the City of Fernandina comes under the prior law, therefore, I veto Senate Bill No. 1061.

Respectfully,

(Signed) FRED P. CONE,

Governor.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill the roll was called and the vote was:

Yeas—None.

Nays—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

So Senate Bill No. 1061 (1939 Session) failed to pass over the Governor's veto.

Senate Bill No. 1152 (1939 Session):

"A bill to be entitled An Act providing for tenure of employment of teachers in the Public Schools in Counties of the State of Florida, having a population of not more than 8,845 and not less than 8,800, according to the last preceding State or Federal census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida:

June 10th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1152, entitled:

"A bill to be entitled An Act providing for tenure of employment of teachers in the public schools in Counties of the State of Florida having a population of not more than 8,845 and not less than 8,800, according to the last preceding State or Federal Census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

This is a population bill and refers to one county only, therefore, under the decisions of our Supreme Court is illegal and unconstitutional.

It seeks to take away the employment of teachers and the power to run the county schools from the legally constituted officers of the County namely the School Board, Trustees, and County Superintendent. It takes this one County from under the General Law as it applies to the other sixty-six Counties of the State.

Under the terms of this bill a teacher has a life tenure after three years which will be most discouraging to young men and women desiring to enter the teaching profession, and who would be barred from securing positions in Bradford County under the terms of this bill.

This bill is against our Democratic form of Government and takes away the right of home rule and of having the schools controlled and managed by the duly elected officers of the community in which the schools are located. It definitely tends to build up a life tenure in office which is contrary to the American form of Democratic Government. The State of Florida as a whole is now contributing most of the school funds, and the tax payers of the State are burdened with taxes and this bill takes the control and man-

agement of the schools in Bradford County to a large extent from the State of Florida, and its duly constituted officers.

Therefore, I veto Senate Bill No. 1152 passed by the 1939 Session of the Legislature.

Respectfully,

(Signed) FRED P. CONE,
Governor.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill the roll was called and the vote was:

Yeas—None.

Nays—Mr. President; Senators Adams (25th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

So Senate Bill No. 1152 (1939 Session) failed to pass over the Governor's veto.

Senate Bill No. 1093 (1939 Session) was taken up and the consideration thereof was informally passed.

Senate Bill No. 1221 (1939 Session):

A bill to be entitled An Act to declare, designate and establish as a part of the state road system the following roads in Suwannee County named and known by the Board of County Commissioners of Suwannee County, Florida."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida:

June 9th, 1939

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1221, entitled:

"A bill to be entitled An Act to declare, designate and establish as a part of the State Road System the following roads in Suwannee County named and known by the Board of County Commissioners of Suwannee County, Florida."

This bill seeks to designate ninety-two roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridge must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in our bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public commerce and the people in the section through which these roads pass.

The number of roads mentioned in this Bill will hardly be useful to the County, its people or to the traveling public; therefore, I veto Senate Bill No. 1221 as passed by the Legislature of 1939.

Respectfully submitted,
FRED P. CONE,
Governor.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th),

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Nays—None.

So Senate Bill No. 1221 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

UNFINISHED BUSINESS

Senate Bill No. 109:

A bill to be entitled An Act dividing the State of Florida into six (6) Congressional districts; and prescribing and setting forth the territorial limits and boundaries of each district.

Was taken up, having been read the second time on May 9, 1941, with pending amendment offered by Senator Kelly.

The question recurred on the motion made by Senator Horne on May 9, 1941, that Senate Bill No. 109, with pending amendment, be recommitted to the Committee on Congressional Reapportioning and Redistricting.

By unanimous consent Senator Horne withdrew the motion.

Senator Kelly moved that Senate Bill No. 109 be indefinitely postponed.

Pending consideration of the motion made by Senator Kelly, Senator Wilson moved that the President appoint a committee to escort Honorable S. W. Anderson, a former member of the Senate from the 6th Senatorial District and a past President of the Senate, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Wilson, Whitaker and Butler as the committee.

The question recurred on the adoption of the motion made by Senator Kelly to indefinitely postpone Senate Bill No. 109.

Upon which a roll call was demanded.

Upon call of the roll on the motion made by Senator Kelly, the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Hinely, Horne, Kanner, Kelly, Lewis, Lindler, Maddox, Maines, Perdue, Shepherd, Smith, Wilson—22.

Nays—Mr. President; Senators Cliett, Gideons, Graham, Housholder, Johnson, King, Price, Rose, Shands, Shuler, Taylor, Ward, Whitaker—14.

Which was agreed to and Senate Bill No. 109 was indefinitely postponed.

Senator Dye was excused from further attendance on the Session today on account of illness in the family.

Senator Johnson moved that the rules be waived and the motion made by Senator Smith on May 8, 1941, to reconsider the vote by which Senate Bill No. 230 failed to pass the Senate on May 7th, 1941, be taken up for consideration, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Pending consideration of the motion made by Senator Smith, Senator Whitaker moved that the rules be waived and the hour of adjournment be extended 30 minutes.

Which was agreed to by a two-thirds vote and it was so ordered.

Upon call of the roll on the motion made by Senator Smith to reconsider the vote by which Senate Bill No. 230 failed to pass the Senate on May 7, 1941, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Butler, Clarke, Collins, Cooley, Gideons, Hinely, Johnson, Kanner, King, Price, Rose, Shands, Taylor, Ward, Wilson—18.

Nays—Senators Beall, Cliett, Drummond, Folks, Graham, Horne, Housholder, Kelly, Lewis, Lindler, Maddox, Maines, Perdue, Shepherd, Shuler, Smith, Whitaker—17.

Which was agreed to.

The question recurred on the passage of Senate Bill No. 230. Upon the passage of Senate Bill No. 230 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Butler, Collins, Cooley, Gideons, Johnson, Kanner, King, Price, Rose, Taylor, Ward—14.

Nays—Senators Beall, Cliett, Drummond, Folks, Graham, Hinely, Housholder, Kelly, Lewis, Lindler, Maddox, Maines, Perdue, Shands, Shepherd, Shuler, Smith, Whitaker, Wilson—19.

So Senate Bill No. 230 failed to pass.

The following pair on the foregoing roll call on the passage of Senate Bill No. 230 was announced and filed with the Secretary:

I am paired with Senator Clarke on this roll call. If he were present he would vote aye and I would vote no.

May 16, 1941.

R. C. HORNE.

Senator Whitaker moved that the rules be waived and the Senate take up and consider House Bill No. 862, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 862:

A bill to be entitled An Act relating to primaries and elections in and creating County Election Boards in all counties of the State of Florida having a population of not less than one hundred thousand (100,000) and not more than two hundred thousand (200,000) according to the last preceding Federal census; to conduct all primaries and elections except municipal primaries and elections; prescribing the qualifications, terms of office and methods of appointment and election of the members of said boards and fixing their compensation, and providing for the payment of all expenses incurred by said boards; prescribing the powers, duties, and functions of such County Election Boards; making the County Supervisors of Registration ex officio clerks and the State attorneys, attorneys for said boards, and prescribing their respective powers, duties and functions; making said County Election Board, the supervisor of registration, and the County Judge the canvassing board of said counties; providing penalties for wilfully interfering with said County Election Boards in the performance of their duties and for the wilful violation of this Act and repealing all laws and parts of laws in conflict herewith.

Was taken up.

Senator Whitaker moved that the rules be waived and House Bill No. 862 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 862 was read the second time by title only.

Senator Whitaker offered the following amendment to House Bill No. 862:

In Title, line 15 (typewritten bill) After the semi-colon following the word "BOARDS", strike out the balance of the title and insert in lieu thereof the following: "Abolishing the office of Supervisor of Registration in such counties and providing that all duties now imposed by law upon the Supervisor of Registration in such counties shall be performed by such County Election Board: Requiring the delivery of all books, records, documents and other property appertaining to the office of Supervisor of Registration to the Commission herein provided for; requiring said Commission upon the election and qualification of the members of said County Election Board to turn over and deliver said books, records, documents and other property to such County Election Boards; authorizing such County Election Boards to employ such clerical and other assistants as may be necessary to perform their duties under this Act; and to fix the compensation of such employees; providing that the regularly appointed attorney of the Board of County Commissioners shall act as attorney for such County Election Boards; making said County Election Board and the County Judge of such counties the canvassing board in such counties; providing penalties for wilfully interfering with said County Election Boards in the performance of their duties and for the wilful violation of this Act and repealing all laws and parts of laws in conflict herewith.

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862

In Section 2, line 8 (typewritten bill) beginning with the words "The Governor shall appoint" strike out down to and

including the words "until their successors are elected and qualified" in the 27th line and insert in lieu thereof the following: "The members of said Board shall be nominated at the primary elections to be held in 1942 and shall be elected in the general election in 1942. Those members to be elected from the odd numbered districts shall be elected for a term of two years and those members to be elected from the even numbered districts shall be elected for a term of four years and they shall serve from the time they shall qualify under this Act until their successors are elected and qualified. All members of the board shall be qualified electors and they shall be nominated from the districts they are to be elected from and shall be elected from the county at large, until the members of the County Election Board shall be elected and qualify in the general election to be held in the year 1942 all of the duties to be performed by said board under the provisions of this Act shall be done and performed by an ex-officio commission consisting of the County Judge of such counties, who shall act as Chairman; the tax collector, tax assessor, the senior member of the Budget Board of such counties who shall not be a candidate for re-election in the election to be held in which the members of the county Election Board are to be elected and the Clerk of the County Court of such counties. The said Clerk of the County Court shall act as ex-officio Clerk of this Commission and all of the members of the Commission shall serve without any additional compensation. The purpose of naming this commission is hereby expressly declared by the legislature to be to devolve upon the above named county officials the duties prescribed in this Act to be performed by the County Election Board after its membership is elected by the people and to provide for the holding of such election by a commission none of whose members will be candidates in said election and all of whom shall have been elected by the people.

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 3, line 1, (typewritten bill) beginning with the words "upon appointment," strike out down to and including the word "therefor." at the end of the sixth line of said Section and insert in lieu thereof the following: "Immediately after election and qualification the members of the Board shall meet and organize by electing one of their number Chairman and shall adopt rules governing the procedure of said Board and take possession and control of all books, records, documents and property appertaining to elections of every kind and character."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 3, line 13, strike out the period and insert the following: "; Provided, however, that the Board shall not pay to any clerk or employee, other than its Secretary, a salary or other compensation in excess of Fifteen Hundred Dollars per annum and the salaries of all clerks and employees shall be a part of the expenses of the Board."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 4, (typewritten bill) strike out all of Section 4 and insert in lieu thereof the following: "Section 4. Records. The Board shall keep accurate and complete records of all its proceedings and shall be the custodian of its files, records, voting machines and all other property appertaining to elections and may designate and employ some competent person to serve as Secretary of said Board, who shall perform such duties as may from time to time be assigned to him by said Board; the compensation of such secretary shall be fixed by said board but shall not exceed the sum of twenty-five hundred dollars (\$2,500.00) per annum payable monthly in the same manner as other expenses of the board are paid as herein provided."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 5, at the end of said Section add the following:

"Each member of the Board shall be given written notice of the time and the place of each meeting thereof."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, (sub-section 1) strike out all of sub-section (1) and insert in lieu thereof the following: "All duties now imposed by law on the supervisor of registration shall be performed by the County Election Board and the office of Supervisor of Registration is hereby abolished and said Supervisor is hereby required to turn over and deliver to the Commission herein provided for to conduct the first election held under the provisions of this Act, all books, records, documents and property appertaining to said office of every kind and character. The County Election Board shall appoint as provided by law all deputy registration officers in the several election districts or precincts and the said county election board shall have complete charge and control of the registration books at all times. After the members of the County Election Board have been elected and have qualified said Commission shall immediately turn over and deliver to said County Election Board all books, records, documents and property appertaining to said office of every kind and character."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-Section (2), line 7 (typewritten bill) beginning with the comma following the word "vote" in line 7, strike out down to and including the word "registration" in the 9th line.

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-Section (2), lines 15 and 16 of the (typewritten bill), strike out the words "Supervisor of Registration" and insert in lieu thereof the words "County Election Board."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-Section (2), line 22 of the (typewritten bill), strike out all of line 22 and insert in lieu thereof the words "County Election Board."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-Section (2), line 25 of the typewritten bill, strike out the word "he" and insert the word "it."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-Section (3), line 40 of the typewritten bill, beginning with the words "should the Board" strike out the balance of said sub-Section.

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6 of Sub-Section 4, line 4 of the typewritten bill, strike out the word "count" and insert the word "county."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, Sub-Section (5), line 4 of the typewritten bill, strike out the word "one" and insert in lieu thereof the word "two."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, Sub-Section (5), line 6 of the typewritten bill, after the word "deputize" strike out the word "such" and insert the word "only."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, Sub-Section 5, line 6 of the typewritten bill, after the word "persons" insert the following: "taken from said lists."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, Sub-Section 5, line 26 of the typewritten bill, beginning with the words "should the Board" strike out the balance of said sub-section.

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In Section 6, sub-section 6, line 2 of the typewritten bill strike out the words "Supervisor of Registration" and insert in lieu thereof the following: "Clerk of the County Court."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In section 6, sub-section 6, line 9 of the typewritten bill strike out the words "Supervisor of Registration" and insert in lieu thereof the following words: "Clerk of the County Court."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In section 6, sub-section 6, lines 17 and 18 of the typewritten bill strike out the words "Supervisor of Registration" and insert in lieu thereof the following: "Clerk of the County Court."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In section 6, sub-section 6, line 22 of the typewritten bill strike out the words "Supervisor of Registration" and insert in lieu thereof the following: "Clerk of the County Court."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker also offered the following amendment to House Bill No. 862:

In section 7 strike out all of Section 7 and insert in lieu thereof the following:

"Section 7. County Attorney. The regularly appointed attorney of the Board of County Commissioners for the respective counties in which this Act becomes operative shall be the attorney for the Board of Elections without any additional compensation for his services and it shall be his duty to advise the County Election Board in all legal matters required by it and shall defend any and all actions brought against the Board."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker moved that the rules be further waived and House Bill No. 862, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 862, as amended, was read the third time in full.

Upon the passage of House Bill No. 862, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So House Bill No. 862 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Beall moved that Senate Bill No. 234 be recalled from the Committees on Appropriations and Judiciary "A" and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Pursuant to a motion made by Senator King on May 14, 1941, and the hour having arrived, the Senate took up for consideration Senate Bill No. 472, as a Special and Continuing Order.

Senate Bill No. 472:

A bill to be entitled An Act to create the Florida Economic Advancement Council, composed of the Governor, the Secretary of State, the Commissioner of Agriculture, and the Attorney General, which council shall have the power and duty to cooperate with the Florida delegation in the Congress of the United States in the development and promotion of the commercial, industrial, agricultural, tourist, and other vital economic interests of the State, particularly with reference to the needs and requirements of National Defense, by maintaining representation at Washington, D. C. and elsewhere as conditions may warrant, and to engage in research, publicity, and sales promotion in behalf of the State to advance the general economic welfare of the State; to authorize the council to employ the necessary personnel and facilities to carry out the purposes of this Act; to make an appropriation to carry out such purposes; to repeal all laws and parts of laws in conflict herewith; and to provide that this Act shall remain in effect for two years from the date it becomes a law.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 472 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 472 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 472 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 472 was read the third time in full.

Upon the passage of Senate Bill No. 472 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 472 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Folks moved that Senate Bill No. 455 be recalled from the Committee on County Organizations and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senator Cooley moved that Senate Bill No. 297 be recommended to the Committee on Judiciary "A."

Which was agreed to and it was so ordered.

Senator Hinely moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 1:20 o'clock P. M. until 3:00 o'clock P. M., Monday, May 19, 1941.